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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 MARK ANTHONY BOYKIN,)
10 Plaintiff(s),) Case No. 2:09-cv-2373-RLH-RJJ
11 vs.) 2:10-cv-0737-RLH-RJJ
12 CITY OF NORTH LAS VEGAS, and) **ORDER**
13 JOSEPH FORTI,) (Motion to Amend Complaint—#23)
14 Defendant(s).)
_____)

15 Before the Court is Plaintiff's **Motion to File Amended Complaint in Case No.**
16 **2:09-cv-2373-RLH-RJJ** (#23, FILED September 23, 2010). No opposition has been filed.

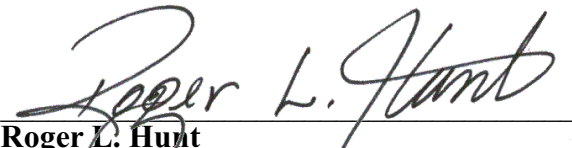
17 Local Rule 7-2(d) provides that failure to file points and authorities in opposition to a
18 motion constitutes a consent that the motion be granted. *Abbott v. United Venture Capitol, Inc.* 718
19 F.Supp. 828, 831 (D. Nev. 1989). It has been said these local rules, no less than the federal rules or
20 acts of Congress, have the force of law. *United States v. Hvass*, 355 U.S. 570, 574-575 (1958); *Weil*
21 *v. Neary*, 278 U.S. 160, 169 (1929); *Marshall v. Gates*, 44 F.3d 722, 723 (9th Cir. 1995). The
22 United States Supreme Court itself has upheld the dismissal of a matter for failure to respond under
23 the local court rules. *Black Unity League of Kentucky v. Miller*, 394 U.S. 100, 89 S. Ct. 766 (1969).

24 Furthermore, the motion appears to have merit and permitting the amendment would
25 be in the interests of justice.

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1 IT IS THEREFORE ORDERED that Plaintiff's **Motion to File Amended Com-**
2 **plaint in Case No. 2:09-cv-2373-RLH-RJJ** (#23) is GRANTED.

3 Dated: December 6, 2010.

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6 **Roger L. Hunt**
7 **Chief United States District Judge**
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